

MINUTES OF THE
CITY OF BURLINGTON
CITY COUNCIL MEETING
November 17, 2009
7:00 P.M.

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on November 17, 2009, at 7:00 p.m.

Mayor Ronnie K. Wall presided

Councilmembers Present: Mayor Wall, Councilmembers Huffman,
Butler and Sharpe

Councilmembers absent: None

Harold Owen, City Manager: Present

Robert M. Ward, City Attorney: Present

Jondeen D. Terry, City Clerk: Present

MOMENT OF SILENCE in memory of Mr. Jimmy Combs, a long-time City of Burlington Recreation Department employee who passed away that morning.

INVOCATION: Councilmember Jim Butler

MINUTES

Mayor Wall called for approval of the minutes of the November 2, 2009, City Council Work Session and the November 3, 2009, City Council meeting.

Upon motion by Councilmember Butler, seconded by Mayor Pro Tem Huffman, it was resolved unanimously to approve the minutes of the meetings held on November 2 and November 3, 2009.

ADOPTION OF AGENDA

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Butler, it was resolved unanimously to adopt the agenda.

UNFINISHED BUSINESS:

ITEM 1: REZONE PROPRETY - FLORA AVENUE (Continued from November 3, 2009)

Mayor Wall announced that a public hearing had been continued to consider rezoning from R-6, Residential District, and R-9, Residential District, to O&I, Office-Institutional District, the property located on the north side of Flora Avenue as shown on Alamance County Tax Map 3-1-11 and Map 3-5, Lots 22, 22A and 23A.

Mr. Charles Bateman said he had worked with residents of the neighborhood to present a proposal that would be less intrusive and that would be more definitive of what was planned for the property which is a medical facility. He stated the application would be changed to a conditional rezoning request and that it would have to be taken back to the Planning and Zoning Commission before it could be heard by Council. He requested to withdraw the current petition for rezoning.

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Butler, it was resolved unanimously to withdraw the rezoning request.

PUBLIC HEARING:

ITEM 2: REZONE PROPERTY - SOUTH MEBANE STREET

Mayor Wall announced that a public hearing had been scheduled to consider rezoning from R-12, Residential District, to O&I, Office-Institutional District, the property located at 123 South Mebane Street as shown on Alamance County Tax Map 013-37-10.

Ms. Frances Workman stated that the property was zoned O&I when she purchased it in 1995 and that it was changed to R-12 around 2000. Ms. Workman said that she had an art studio at one time but that her stepson lived in the house at the present. She explained that there was a duplex near her house that had

been vacant for three years and that there was nothing else on that block. She stated she would like to make a small office like an insurance office or law firm that would generate low traffic. She said she could provide off-street parking.

Planning and Community Development Director Bob Harkrader said that the request was coming with a unanimous favorable recommendation from the Planning and Zoning Commission.

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Butler, it was resolved unanimously to close the public hearing.

Councilmember Sharpe moved for the adoption of the following ordinance:

09-19

ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone Property on South Mebane Street)

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That the official zoning map, an element of the Burlington Zoning Ordinance, and the Comprehensive Land Use Plan are hereby amended by rezoning from R-12, Residential District, to O&I, Office-Institutional District, the property at 123 South Mebane Street as shown on Alamance County Tax Map 013-37-10.

Section 2. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 3. That this ordinance shall take effect upon passage.

The foregoing ordinance was seconded by Mayor Pro Tem Huffman, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Wall, Huffman, Butler, and Sharpe.

NEW BUSINESS:

ITEM 3: CONSIDER REZONING WITHDRAWAL REQUEST FROM PIEDMONT AUTHORITY FOR REGIONAL TRANSPORTATION (PART)

Mayor Wall announced that the Piedmont Authority for Regional Transportation (PART) had requested that its conditional rezoning request for a park-and-ride lot on Bonnar Bridge Parkway be withdrawn. The rezoning was scheduled for a public hearing on December 1, 2009.

Planning and Community Development Director Bob Harkrader said that a letter dated October 29, 2009, from Attorney Frank Longest requested that the rezoning be withdrawn. Mr. Harkrader stated that PART had indicated its intention not to develop the park-and-ride lots at the Bonnar Bridge Parkway location. Mr. Harkrader said there had been questions from citizens and that taking this action would bring closure.

Upon motion by Mayor Tem Huffman, seconded by Councilmember Butler, it was resolved unanimously to allow the withdrawal of the rezoning request.

ITEM 4: REQUEST FROM BURLINGTON HOUSING AUTHORITY FOR FINANCIAL REIMBURSEMENT

Mayor Wall announced that the Burlington Housing Authority had requested financial reimbursement assistance up to a maximum of \$300,000.00 for the purchase and demolition of property located on the corner of Ireland Street and North Church Street and to approve Budget Amendment 2010-25.

Mr. Grover Moore, Burlington Housing Authority, stated the Burlington Development Corporation was incorporated August 2, 1982, under the umbrella of the Burlington Housing Authority and that the mission was to provide decent, safe and sanitary housing for low-income individuals and families. Mr. Moore stated that the proposed project would include the purchase of Terrace Apartments property located at 627 North Church Street, Burlington, to develop apartments for senior and disabled individuals.

He explained that under the proposed schedule, tenants would be notified of the sale by the owner within 30 days and that closure to property purchase would be within 90 days. He stated that current tenants may apply to Burlington Housing Authority for housing consideration based on eligibility requirements after notification of sale. Mr. Moore said he hoped the demolition would take place by April 1, 2010, and that the project completed for occupancy by June 30, 2011.

Mr. Moore asked that the City assist the Burlington Development Corporation in transforming the property into a viable and attractive development. Mr. Moore's request was for the City of Burlington to reimburse one-half of the purchase price of \$250,000 (\$125,000 from the City) and to reimbursement one-half of the demolition cost of approximately \$350,000 (\$175,000 from the City). He stated the total request for reimbursement from the City was \$300,000.

Mayor Pro Tem Huffman stated this project was exciting and that it should alleviate some of the problems in that area. He thanked the Burlington Housing Authority for its endeavor.

Mayor Wall stated that those involved should be commended for it the vision.

Councilmember Sharpe said he was glad it was about to occur.

Councilmember Butler said it would be a perfect fit for that area.

Upon motion by Councilmember Sharpe, seconded by Mayor Pro Tem Huffman, it was resolved unanimously to approve the request and the related budget amendment.

BA2010-25

Increase Revenues:

010-39398-0000	Appropriated fund Balance	\$300,000
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Increase Expenditures:

010-50502-6030	Special Projects-Burl Housing Auth	\$300,000
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PUBLIC COMMENT PERIOD

Ms. Allison Fletcher introduced Mr. Bill Carouthers and said they were members of Together House located at 405 Rudd Street. She explained that Together House is a psychosocial rehabilitation program that offers the severely and persistently mentally ill a work-oriented environment in which members can build daily living skills, self-esteem and have prevocational training and relationship enhancement. She stated that Together House is funded by Medicaid and the State of North Carolina. Ms. Fletcher

stated she wanted to make Council aware of the program and invited everyone to tour the facility. She said assistance was welcomed.

CITY COUNCIL COMMENTS:

Mayor Wall:

- Christmas Parade, November 21, 2009, 10:00 a.m.
- Excited about establishment of City's Green Committee
- Council retreat, Thursday, January 28, 2010, 8:00 a.m. to 1:30 p.m. at the Kernodle Senior Center. Each Councilmember to present three to five issues. Retreat topics will be Council-generated rather than staff-generated. Topics will be given to staff. One topic will be filing the vacant Council seat.

Councilmember Butler:

- Agreed with Mayor Wall on discussing filling a vacant seat. Another topic is spot annexations on University Drive.

Mayor Pro Tem Huffman:

- Review items on Transportation Advisory Committee (TAC) and Transportation Improvement Plan (TIP).

ADJOURN:

Upon motion by Councilmember Butler, seconded by Mayor Pro Tem Huffman, it was resolved unanimously to adjourn.

Jondeen D. Terry
City Clerk